



HOUSE OF REPRESENTATIVES

SB 1228

ignition interlock requirement; DUI; drugs

Prime Sponsor: Senator Kavanagh, LD 23

DP Committee on Transportation and Infrastructure

DP Caucus and COW

X As Transmitted to the Governor

OVERVIEW

SB 1228 eliminates the ignition interlock device (IID) requirement for a driving under the influence (DUI) violation not involving intoxicating liquor and allows the court to require an IID.

PROVISIONS

1. Removes the requirement for an individual who has been convicted of a DUI or aggravated DUI which does not involve intoxicating liquor to equip any vehicle they operate with a certified IID and authorizes the court to enforce an IID requirement.
 - a. Mandates MVD to require such an individual to equip any motor vehicle they operate with a certified IID if the court orders such action.
 - b. Outlines administrative guidelines.
2. Permits the court to order a person convicted of a DUI or aggravated DUI to equip their vehicle with an IID for more than 12 months beginning on the date of reinstatement of the individual's driver license, following the suspension or revocation, or on the date of MVD's receipt of the report of conviction, whichever occurs later.
3. Removes the following requirements for MVD:
 - a. to remove the IID requirement if a person is convicted of a DUI of a drug or its metabolite in the person's body, and
 - b. to revoke the driver license of a person who is convicted of a DUI of a drug or its metabolite in the person's body.
4. Makes conforming changes.

CURRENT LAW

Title 28, Chapter 4, A.R.S. outlines provisions regarding DUI violations. Specifically, [A.R.S. § 28-1381\(A\)\(1\)](#) states that it is unlawful for a person to drive a vehicle while under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of any of these substances, if the person is impaired to the slightest degree.

If a person is convicted of a DUI or aggravated DUI, the person is required to do the following:

- serve not less than ten consecutive days in jail without probation or suspension of execution of sentence;
- pay a fine of not less the \$250;
- perform community restitution, if ordered by the court;
- pay an additional assessment of \$500, which is deposited into the prison construction and operations fund ([A.R.S. § 41-1651](#)); and
- equip any motor vehicle operated by the person with a certified IID (defined by [A.R.S. § 28-1301\(1\)](#)).